

House Bill 3229

Sponsored by Representatives WHISNANT, GOMBERG (at the request of former State Representative Judy Stiegler)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits person convicted of certain crimes from owning, being employed by or providing services at animal grooming parlor or boarding kennel for specified period following conviction. Makes violation punishable by maximum of 30 days' imprisonment, \$1,250 fine, or both. Makes second or subsequent violation punishable by maximum of one year's imprisonment, \$6,250 fine, or both.

Prohibits owner of grooming parlor or boarding kennel from hiring person owner knows is prohibited from working at grooming parlor or boarding kennel due to conviction for certain crimes. Prohibits owner of grooming parlor or boarding kennel from allowing provision of services at grooming parlor or boarding kennel by person owner knows is prohibited from providing services at grooming parlor or boarding kennel due to conviction for certain crimes. Makes violation punishable by maximum of six months' imprisonment, \$2,500 fine, or both.

Requires owner of grooming parlor or boarding kennel to request criminal offender information from Department of State Police before hiring individual to work at grooming parlor or boarding kennel or allowing individual to provide services at grooming parlor or boarding kennel. Subject to exception, makes failure to comply punishable by maximum of \$2,500 fine. Makes first failure to comply punishable by maximum of \$250 fine if owner posted informational notice.

Imposes care requirements, other health-related requirements and recordkeeping requirements on owner of boarding kennel. Makes violation punishable by maximum of \$10,000 fine.

Imposes minimum requirements for boarding kennel enclosures. Makes violation punishable by maximum of one year's imprisonment, \$6,250 fine, or both.

Replaces term "owner" with "keeper" for purposes of certain statutes establishing crimes involving animals. Defines "keeper."

A BILL FOR AN ACT

1
2 Relating to animals; creating new provisions; and amending ORS 167.310, 167.312, 167.335, 167.345,
3 167.348, 167.350 and 181.433.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. As used in this section and sections 2 to 4 of this 2015 Act:**

6 (1) **"Boarding kennel" means a commercial establishment engaged in the business of**
7 **providing food, shelter and other basic needs to domestic animals that stay at the facility**
8 **an average of less than 30 days, but does not include a veterinary facility.**

9 (2) **"Domestic animal" has the meaning given that term in ORS 167.310.**

10 (3) **"Grooming parlor" means a commercial establishment engaged in the business of**
11 **bathing, clipping or providing pedicures for domestic animals, but does not include a**
12 **veterinary facility.**

13 **SECTION 2. (1) In addition to any other penalty imposed by law, and except as provided**
14 **in subsection (3) of this section, a person convicted of violating ORS 163.200, 163.212, 163.415,**
15 **163.545, 167.315, 167.333 or 167.340 or of a misdemeanor under ORS 163.160, 163.187, 167.320,**
16 **167.325 or 167.330 may not, for five years following entry of the conviction:**

17 (a) **Own or be employed by a grooming parlor or boarding kennel; or**

18 (b) **Provide services for domestic animals at or for a grooming parlor or boarding kennel**
19 **as an independent contractor.**

20 (2) **In addition to any other penalty imposed by law, a person convicted of violating ORS**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 163.115, 163.118, 163.125, 163.165, 163.175, 163.185, 163.205, 163.208, 163.213, 163.225, 163.235,
 2 163.264, 163.275, 163.375, 163.405, 163.411, 163.425, 163.427, 163.535, 163.547, 167.322, 167.355,
 3 167.365 or 167.428 or of a felony under ORS 163.160, 163.187, 167.320, 167.325 or 167.330 may
 4 not, for 15 years following entry of the conviction:

5 (a) Own or be employed by a grooming parlor or boarding kennel; or

6 (b) Provide services for domestic animals at or for a grooming parlor or boarding kennel
 7 as an independent contractor.

8 (3) This section does not apply to a person who has successfully completed a Department
 9 of Corrections or Oregon Youth Authority program designed to teach the person to properly
 10 train, groom, socialize and provide other appropriate care for one or more types of domestic
 11 animals.

12 (4) Violation of this section is a Class C misdemeanor for a first offense and a Class A
 13 misdemeanor for a second or subsequent offense.

14 **SECTION 3.** (1)(a) An owner of a grooming parlor or boarding kennel may not hire a
 15 person whom the owner knows to be subject to section 2 of this 2015 Act as an employee of
 16 the grooming parlor or boarding kennel.

17 (b) An owner of a grooming parlor or boarding kennel may not allow a person whom the
 18 owner knows to be subject to section 2 of this 2015 Act to provide services for domestic an-
 19 imals at or for the grooming parlor or boarding kennel as an independent contractor.

20 (2) It is an affirmative defense under this section that, prior to being hired or allowed
 21 to provide services, the person presented to the owner a certificate stating that the person
 22 successfully completed a program described in section 2 (3) of this 2015 Act.

23 (3) Violation of this section is a Class B misdemeanor.

24 **SECTION 4.** (1) An owner of a grooming parlor or boarding kennel shall file a request
 25 with the Department of State Police under ORS 181.560 for criminal offender information
 26 regarding an individual before the owner:

27 (a) Employs the individual at the grooming parlor or boarding kennel; or

28 (b) Allows the individual to provide services for domestic animals at or for the grooming
 29 parlor or boarding kennel as an independent contractor.

30 (2) Except as provided in subsection (3) of this section, failure to comply with subsection
 31 (1) of this section is a specific fine violation punishable by a fine of not more than \$2,500.

32 (3) A first failure to comply with subsection (1) of this section is a Class D violation if
 33 the owner affirmatively establishes that prior to employing or allowing services to be pro-
 34 vided by the individual the owner posted at the grooming parlor or boarding kennel in good
 35 faith a notice identifying a website for accessing reliable information about the laws of this
 36 state pertaining to the grooming parlor and boarding kennel industries. For purposes of this
 37 subsection, posting a notice in compliance with form, content and location standards devel-
 38 oped by a humane society employing special agents authorized under ORS 131.805 or humane
 39 special agents commissioned under ORS 181.433 is prima facie evidence of good faith and re-
 40 liable information.

41 **SECTION 5.** (1) As used in this section:

42 (a) "Boarding kennel" means a commercial establishment engaged in the business of
 43 providing food, shelter and other basic needs to domestic animals that stay at the facility
 44 an average of less than 30 days, but does not include a veterinary facility.

45 (b) "Domestic animal" has the meaning given that term in ORS 167.310.

1 (2) The owner of a boarding kennel shall:

2 (a) Require a person to provide health history information for a domestic animal before
3 placing the animal in the custody of the boarding kennel.

4 (b) Request the person placing the domestic animal in the custody of the boarding kennel
5 to provide contact information for any veterinarian who usually provides veterinary care for
6 the animal.

7 (c) Ensure that the physical condition of each domestic animal in the custody of the
8 boarding kennel is checked and recorded daily.

9 (d) Ensure that minimum care as defined in ORS 167.310 is provided for each domestic
10 animal in the custody of the boarding kennel.

11 (e) Arrange with a veterinarian for veterinary care to be available for domestic animals
12 that are placed in the custody of the boarding kennel. This paragraph does not require the
13 owner of a boarding kennel to limit veterinary care to a particular veterinarian.

14 (f) Send notice to a humane society that employs special agents authorized under ORS
15 131.805 or humane special agents commissioned under ORS 181.433 no later than 10 days after
16 a domestic animal in the custody of the boarding kennel dies or suffers an injury or illness
17 that results in treatment by a veterinarian.

18 (g) Ensure that any domestic animal transported by or on behalf of the boarding kennel
19 for the purpose of obtaining veterinary care is placed in a carrier or is otherwise restrained
20 in movement.

21 (3) The owner of a boarding kennel shall maintain records at the boarding kennel that,
22 at a minimum, include information necessary to demonstrate compliance with this section.
23 The owner shall retain records required by this subsection for a minimum of two years fol-
24 lowing the date the domestic animal is returned to the person that placed the animal in the
25 custody of the boarding kennel.

26 (4) Failure to comply with a provision of this section is a specific fine violation punishable
27 by a fine of not more than \$10,000.

28 **SECTION 6. (1) As used in this section:**

29 (a) "Adult dogs" means dogs other than unweaned or bottle-fed puppies.

30 (b) "Boarding kennel" means a commercial establishment engaged in the business of
31 providing food, shelter and other basic needs to dogs that stay at the facility an average of
32 less than 30 days, but does not include a veterinary facility.

33 (c) "Dog" means a member of the subspecies *Canis lupus familiaris* or a hybrid of that
34 subspecies.

35 (2) A boarding kennel that has enclosures for 10 or more adult dogs shall, in addition to
36 providing minimum care as defined in ORS 167.310:

37 (a) Provide each dog with sufficient space to turn about freely, stand and sit and to lie
38 down without the head, face, tail, legs or feet of the dog touching the sides of the enclosure
39 or touching any other dog.

40 (b) Provide each dog with an enclosure that:

41 (A) Unless the floor is at ground level, has a solid floor without slats or gaps;

42 (B) Is at least six inches higher than the head of the tallest dog in that enclosure when
43 the tallest dog is in a normal standing position; and

44 (C) If elevated above the floor of a room, is placed so that the floor of the enclosure is
45 no more than 42 inches above the floor of the room.

1 (c) Remove waste and contaminants from the enclosure at least once each day.

2 (d) Remove the dog from the enclosure when cleaning the enclosure of waste and con-
3 taminants.

4 (3) A boarding kennel shall maintain records establishing the enclosure used for each dog
5 boarded at the kennel.

6 (4) Violation of this section is a Class A misdemeanor.

7 **SECTION 7.** ORS 181.433 is amended to read:

8 181.433. (1) At the request of a humane investigation agency, the Superintendent of State Police
9 shall commission a designated employee of the humane investigation agency as a humane special
10 agent, if:

11 (a) The employee is certified, or is eligible for certification, as a police officer under the pro-
12 visions of ORS 181.610 to 181.712;

13 (b) The superintendent determines that the employee is fit and qualified to perform the duties
14 of a humane special agent;

15 (c) The humane investigation agency agrees in writing to save harmless and indemnify the State
16 of Oregon and its officers, employees and agents from and against any tort claim or demand,
17 whether groundless or otherwise, arising out of an alleged act or omission of the employee or the
18 humane investigation agency, that relates to or results from the authority granted by the commis-
19 sion; and

20 (d) The humane investigation agency furnishes to the superintendent a copy of an insurance
21 policy, purchased and maintained by the humane investigation agency, that the superintendent de-
22 termines is sufficient to satisfy any tort claim or demand described in paragraph (c) of this sub-
23 section.

24 (2) Before granting a commission under this section, the superintendent may require the em-
25 ployee to take and subscribe to an oath of office to support the Constitution and laws of the United
26 States and of the State of Oregon, and to honestly and faithfully perform the duties of a humane
27 special agent.

28 (3) The superintendent shall suspend or revoke a commission granted under this section if the
29 superintendent determines that:

30 (a) The certification of the employee as a police officer has lapsed or been revoked pursuant to
31 ORS 181.661, 181.662 and 181.664 (1), and has not been reissued under ORS 181.664 (2);

32 (b) The employee has been separated from employment with the humane investigation agency;
33 or

34 (c) The employee has abused the commission.

35 (4) Except as otherwise provided in subsection (3) of this section, an employee of a humane in-
36 vestigation agency commissioned under this section holds the commission at the pleasure of the su-
37 perintendent. The superintendent may suspend or revoke a commission granted under this section
38 at any time for good cause, as determined by the superintendent. If the superintendent revokes a
39 commission granted under this section, the employee of the humane investigation agency is entitled
40 only to an informal opportunity to be heard by the superintendent, for the purposes of explaining
41 any factual circumstances related to the revocation and attempting to persuade the superintendent
42 to reverse the decision to revoke the commission.

43 (5) Humane special agents commissioned under this section serve at the expense of the humane
44 investigation agency employing the agent.

45 (6) The superintendent may adopt rules to carry out the provisions of this section. The rules

1 may include a description of the circumstances in which a humane special agent is prohibited from
 2 carrying a firearm while engaged in the enforcement of animal welfare laws.

3 (7) As used in this section:

4 (a) “Animal welfare laws” means:

5 (A) ORS 167.310 to 167.351, 167.352, 167.355, 167.360 to 167.372, 167.374, 167.376, 167.385, 167.388,
 6 167.390 and 167.426 to 167.439 **and sections 2 to 4, 5 and 6 of this 2015 Act**; and

7 (B) ORS 164.043, 164.045, 164.055, 164.057, 164.075, 164.345, 164.354 and 164.365, if the subject
 8 of the crime is an animal.

9 (b) “Humane investigation agency” means a private, nonprofit animal care agency that has
 10 maintained an animal welfare investigation department for at least five years and has had officers
 11 employed as special agents under ORS 131.805.

12 **SECTION 8.** ORS 167.310 is amended to read:

13 167.310. As used in ORS 167.310 to 167.351:

14 (1) “Adequate bedding” means bedding of sufficient quantity and quality to permit a domestic
 15 animal to remain dry and reasonably clean and maintain a normal body temperature.

16 (2)(a) “Adequate shelter” includes a barn, doghouse or other enclosed structure sufficient to
 17 protect a domestic animal from wind, rain, snow or sun, that has adequate bedding to protect
 18 against cold and dampness and that is maintained to protect the domestic animal from weather and
 19 physical injury.

20 (b) “Adequate shelter” does not include:

21 (A) Crawl spaces under buildings or parts of buildings, such as steps, decks or stoops;

22 (B) The space under a vehicle;

23 (C) The inside of a vehicle if the domestic animal is kept in the vehicle in a manner or for a
 24 length of time that is likely to be detrimental to the domestic animal’s health or safety;

25 (D) Shelters made from cardboard or other materials that are easily degraded by the elements;

26 (E) Animal carriers or crates that are designed to provide temporary housing;

27 (F) Shelters with wire or chain-link floors, unless the domestic animal is a bird; or

28 (G) Shelters surrounded by waste, debris, obstructions or impediments that could adversely af-
 29 fect an animal’s health.

30 (3) “Animal” means any nonhuman mammal, bird, reptile, amphibian or fish.

31 (4) “Domestic animal” means an animal, other than livestock or equines, [*that is owned or pos-*
 32 *essed by a person*] **for which a person is a keeper.**

33 (5) “Equine” means a horse, pony, donkey, mule, hinny, zebra or a hybrid of any of these ani-
 34 mals.

35 (6) “Good animal husbandry” includes, but is not limited to, the dehorning of cattle, the docking
 36 of horses, sheep or swine, and the castration or neutering of livestock, according to accepted prac-
 37 tices of veterinary medicine or animal husbandry.

38 (7)(a) **“Keeper” means a person that owns or possesses an animal.**

39 (b) **“Keeper” does not include:**

40 (A) **A humane society or other nonprofit animal shelter;**

41 (B) **A facility impounding animals on behalf of a city or county; or**

42 (C) **A veterinary facility.**

43 [(7)] (8) “Law enforcement animal” means a dog or horse used in law enforcement work under
 44 the control of a corrections officer, parole and probation officer, police officer or youth correction
 45 officer, as those terms are defined in ORS 181.610, who has successfully completed at least 360 hours

1 of training in the care and use of a law enforcement animal, or who has passed the demonstration
 2 of minimum standards established by the Oregon Police Canine Association or other accredited and
 3 recognized animal handling organization.

4 [(8)] (9) "Livestock" has the meaning provided in ORS 609.125.

5 [(9)] (10) "Minimum care" means care sufficient to preserve the health and well-being of an an-
 6 imal and, except for emergencies or circumstances beyond the reasonable control of the [owner]
 7 **keeper**, includes, but is not limited to, the following requirements:

8 (a) Food of sufficient quantity and quality to allow for normal growth or maintenance of body
 9 weight.

10 (b) Open or adequate access to potable water in sufficient quantity to satisfy the animal's needs.
 11 Access to snow or ice is not adequate access to potable water.

12 (c) For a domestic animal other than a dog engaged in herding or protecting livestock, access
 13 to adequate shelter.

14 (d) Veterinary care deemed necessary by a reasonably prudent person to relieve distress from
 15 injury, neglect or disease.

16 (e) For a domestic animal, continuous access to an area:

17 (A) With adequate space for exercise necessary for the health of the animal;

18 (B) With air temperature suitable for the animal; and

19 (C) Kept reasonably clean and free from excess waste or other contaminants that could affect
 20 the animal's health.

21 (f) For a livestock animal that cannot walk or stand without assistance:

22 (A) Humane euthanasia; or

23 (B) The provision of immediate and ongoing care to restore the animal to an ambulatory state.

24 [(10)] (11) "Physical injury" means physical trauma, impairment of physical condition or sub-
 25 stantial pain.

26 [(11)] (12) "Physical trauma" means fractures, cuts, punctures, bruises, burns or other wounds.

27 [(12)] (13) "Possess" has the meaning provided in ORS 161.015.

28 [(13)] (14) "Serious physical injury" means physical injury that creates a substantial risk of
 29 death or that causes protracted disfigurement, protracted impairment of health or protracted loss
 30 or impairment of the function of a limb or bodily organ.

31 [(14)(a)] (15)(a) "Tethering" means to restrain a domestic animal by tying the domestic animal
 32 to any object or structure by any means.

33 (b) "Tethering" does not include using a handheld leash for the purpose of walking a domestic
 34 animal.

35 **SECTION 9.** ORS 167.312 is amended to read:

36 167.312. (1) A person commits the crime of research and animal interference if the person:

37 (a) With the intent to interfere with research, releases, steals or otherwise causes the death,
 38 injury or loss of any animal at or from an animal research facility.

39 (b) With the intent to interfere with research, damages, vandalizes or steals any property in or
 40 on an animal research facility.

41 (c) With the intent to interfere with research, obtains access to an animal research facility to
 42 perform acts not authorized by that facility.

43 (d) Obtains or exerts unauthorized control over records, data, materials, equipment or animals
 44 of any animal research facility with the intent to interfere with research by concealing, abandoning
 45 or destroying such records, data, materials, equipment or animals.

1 (e) With the intent to interfere with research, possesses or uses equipment or animals that the
 2 person reasonably believes have been obtained by theft or deception from an animal research facility
 3 or without the authorization of an animal research facility.

4 (2) For the purposes of this section, “animal research facility” means any facility engaging in
 5 legal scientific research or teaching involving the use of animals.

6 (3) Research and animal interference is a:

7 (a) Class C felony if damage to the animal research facility is \$2,500 or more; or

8 (b) Class A misdemeanor if there is no damage to the facility or if damage to the animal re-
 9 search facility is less than \$2,500.

10 (4) Determination of damages to an animal research facility shall be made by the court. In
 11 making its determination, the court shall consider the reasonable costs of:

12 (a) Replacing lost, injured or destroyed animals;

13 (b) Restoring the animal research facility to the approximate condition of the facility before the
 14 damage occurred; and

15 (c) Replacing damaged or missing records, data, material or equipment.

16 (5) In addition to any other penalty imposed for violation of this section, a person convicted of
 17 such violation is liable:

18 (a) To the [owner] **keeper** of the animal for damages, including the costs of restoring the animal
 19 to confinement and to its health condition prior to commission of the acts constituting the violation;

20 (b) For damages to real and personal property caused by acts constituting the violation; and

21 (c) For the costs of repeating an experiment, including the replacement of the animals, labor and
 22 materials, if acts constituting the violation cause the failure of an experiment.

23 **SECTION 10.** ORS 167.335 is amended to read:

24 167.335. Unless gross negligence can be shown, the provisions of ORS 167.315 to 167.333 do not
 25 apply to:

26 (1) The treatment of livestock being transported by [owner] **keeper** or common carrier;

27 (2) Animals involved in rodeos or similar exhibitions;

28 (3) Commercially grown poultry;

29 (4) Animals subject to good animal husbandry practices;

30 (5) The killing of livestock according to the provisions of ORS 603.065;

31 (6) Animals subject to good veterinary practices as described in ORS 686.030;

32 (7) Lawful fishing, hunting and trapping activities;

33 (8) Wildlife management practices under color of law;

34 (9) Lawful scientific or agricultural research or teaching that involves the use of animals;

35 (10) Reasonable activities undertaken in connection with the control of vermin or pests; and

36 (11) Reasonable handling and training techniques.

37 **SECTION 11.** ORS 167.345 is amended to read:

38 167.345. (1) As used in this section, “peace officer” has the meaning given that term in ORS
 39 161.015.

40 (2) If there is probable cause to believe that any animal is being subjected to treatment in vio-
 41 lation of ORS 167.315 to 167.333, 167.340, 167.355, 167.365 or 167.428, a peace officer, after obtaining
 42 a search warrant or in any other manner authorized by law, may enter the premises where the an-
 43 imal is located to provide the animal with food, water and emergency medical treatment and may
 44 impound the animal. If after reasonable effort the [owner or person having custody] **keeper** of the
 45 animal cannot be found and notified of the impoundment, the notice shall be conspicuously posted

1 on the premises and within 72 hours after the impoundment the notice shall be sent by certified mail
 2 to the address, if any, where the animal was impounded.

3 (3) A peace officer is not liable for any damages for an entry under subsection (2) of this section,
 4 unless the damages were caused by the unnecessary actions of the peace officer that were inten-
 5 tional or reckless.

6 (4)(a) A court may order an animal impounded under subsection (2) of this section to be held
 7 at any animal care facility in the state. A facility receiving the animal shall provide adequate food
 8 and water and may provide veterinary care.

9 (b) A court may order a fighting bird impounded under subsection (2) of this section to be held
 10 on the property of the [owner, possessor or] keeper of the fighting bird in accordance with ORS
 11 167.433.

12 **SECTION 12.** ORS 167.348 is amended to read:

13 167.348. (1) If an animal is forfeited according to the provisions of ORS 167.347 or 167.350, the
 14 agency to which the animal was forfeited may place the animal with a new [owner] **keeper**. The
 15 agency may give placement preference to any person or persons who had prior contact with the
 16 animal, including but not limited to family members and friends of the former [owner] **keeper** whom
 17 the agency determines are capable of providing necessary, adequate and appropriate levels of care
 18 for the animal. The agency may not, however, place the animal with family members or friends of
 19 the former [owner] **keeper** who aided or abetted the criminal conduct underlying the forfeiture or
 20 had knowledge of the criminal conduct and failed to intervene. As a condition of placement, the
 21 agency shall require the new [owner] **keeper** to execute an agreement to provide minimum care to
 22 the animal. The agreement must indicate that allowing the former [owner] **keeper** to possess the
 23 animal constitutes a crime.

24 (2) Notwithstanding subsection (1) of this section, the agency may not place the animal with any
 25 person who resides with the former [owner] **keeper**.

26 **SECTION 13.** ORS 167.350 is amended to read:

27 167.350. (1) In addition to and not in lieu of any other sentence it may impose, a court may re-
 28 quire a defendant convicted under ORS 167.315 to 167.333, 167.340, 167.355 or 167.365 to forfeit any
 29 rights of the defendant in the animal subjected to the violation, and to repay the reasonable costs
 30 incurred by any person or agency prior to judgment in caring for each animal subjected to the vio-
 31 lation.

32 (2)(a) When the court orders the defendant's rights in the animal to be forfeited, the court may
 33 further order that those rights be given over to an appropriate person or agency demonstrating a
 34 willingness to accept and care for the animal or to the county or an appropriate animal care agency
 35 for further disposition in accordance with accepted practices for humane treatment of animals. The
 36 court may not transfer the defendant's rights in the animal to any person who resides with the de-
 37 fendant.

38 (b) This subsection does not limit the right of the person or agency to whom rights are granted
 39 to resell or otherwise make disposition of the animal. A transfer of rights under this subsection
 40 constitutes a transfer of ownership. The court shall require a person to whom rights are granted to
 41 execute an agreement to provide minimum care to the animal. The agreement must indicate that
 42 allowing the defendant to possess the animal constitutes a crime.

43 (3) In addition to and not in lieu of any other sentence it may impose, a court may order the
 44 [owner or person having custody] **keeper** of an animal to repay the reasonable costs incurred by any
 45 person or agency in providing minimum care to the animal.

1 (4) A court may order a person convicted under ORS 167.315 to 167.333, 167.340, 167.355, 167.365
2 or 167.428 to participate in available animal cruelty prevention programs or education programs, or
3 both, or to obtain psychological counseling for treatment of mental health disorders that, in the
4 court's judgment, contributed to the commission of the crime. The person shall bear any costs in-
5 curred by the person for participation in counseling or treatment programs under this subsection.

6 (5) ORS 131.550 to 131.600 do not apply to the forfeiture of an animal subjected to a violation
7 of ORS 167.315 to 167.333, 167.340, 167.355, 167.365 or 167.428. Any such animal is subject to forfei-
8 ture as provided in subsections (1) to (3) of this section or, if the animal is a fighting bird, as pro-
9 vided in ORS 167.435.

10 **SECTION 14. Section 2 of this 2015 Act applies:**

11 (1) **To a person convicted of an offense identified in section 2 of this 2015 Act on or after**
12 **the effective date of this 2015 Act; and**

13 (2) **To a person convicted of an offense identified in section 2 of this 2015 Act before the**
14 **effective date of this 2015 Act, if the person:**

15 (a) **Acquires an ownership interest in a grooming parlor or boarding kennel on or after**
16 **the effective date of this 2015 Act;**

17 (b) **Commences employment on or after the effective date of this 2015 Act; or**

18 (c) **Provides independent contractor services on or after the effective date of this 2015**
19 **Act.**

20 **SECTION 15. Sections 3 and 4 of this 2015 Act apply to:**

21 (1) **The hiring of persons on or after the effective date of this 2015 Act to commence**
22 **employment on or after the effective date of this 2015 Act; and**

23 (2) **Independent contractor services provided on or after the effective date of this 2015**
24 **Act.**

25 **SECTION 16. Sections 5 and 6 of this 2015 Act apply to domestic animals for which**
26 **placement into the custody of a boarding kennel commences on or after the effective date**
27 **of this 2015 Act.**

28 **SECTION 17. The amendments to ORS 167.312 by section 9 of this 2015 Act apply to**
29 **damages awarded for offenses committed on or after the effective date of this 2015 Act.**

30